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SUBJECT: GIL ROBLES JABS GOVT ON ELECTORAL LAW

REF: MADRID 6340

SUMMARY: OPPOSITION CHRISTIAN DEMOCRATIC LEADER JOSE MARIA GILL ROBLES, RESPONDING TO PRESS RUMORS THAT THE GOVT HAS MADE UP ITS MIND OR IS NEAR A DECISION ON THE SHAPE OF THE LAW WHICH WILL GOVERN NEXT YEAR'S PROMISED PARLIAMENTARY ELECTIONS, HAS PUT THE GOVT ON NOTICE THAT ANY ELECTORAL LAW WHICH IS NOT THE PRODUCT OF NEGOTIATIONS WITH THE OPPOSITION WOULD NOT AUGUR WELL FOR FUTURE GOVT-OPPOSITION RELATIONS AND WOULD ENGENDER PROFOUND LIMITED OFFICIAL USE

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SUSPICIONS ABOUT THE GOVT'S INTENTIONS. HE ATTACKED

THE SINGLE-MEMBER-DISTRICT, WINNER-TAKE-ALL TYPE OF SYSTEM WHICH THE GOVT REPORTEDLY FAVORS AND REITERATED THE OPPOSITION'S ADVOCACY OF SOME FORM OF PROPORTIONAL REPRESENTATION SYSTEM. END SUMMARY.

1. IN AN EDITORIAL PUBLISHED AUGUST 25 IN CATHOLIC INDEPENDENT "YA", JOSE MARIA GIL ROBLES, THE OPPOSITION'S GRAND OLD MAN, MADE THE FOLLOWING PRINCIPAL POINTS IN RESPONSE TO RUMORS THAT THE GOVT HAS MADE OR IS NEAR A DECISION ON THE ELECTORAL LAW:

2. IMPLICATIONS OF A GOVT-DICTATED LAW. IF THE GOVT FAILS TO TAKE INTO ACCOUNT THE THINKING OF THE DEMOCRATIC OPPOSITION, "IT WILL INDICATE THAT THE MUCH-TALKED-ABOUT GOVT-OPPOSITION NEGOTIATIONS WILL NEVER GO BEYOND THE DISJOINTED CONVERSATIONS HELD THUS FAR BETWEEN THE PRIME MINISTER AND VARIOUS OPPOSITION LEADERS. IT ALSO LEAVES THE IMPRESSION THAT THE GOVT BELIEVES IT IS SUFFICIENTLY REPRESENTATIVE OF THE PEOPLE TO MOUNT, AT ITS OWN CONVENIENCE, A CONSTITUENT PERIOD WHICH, UNDER THE CIRCUMSTANCES, WOULD BE LITTLE MORE THAN A PARODY. IF THE GOVT BELIEVES THAT, FROM THE POINT OF VIEW OF THE OPPOSITION, THIS WOULD CONSTITUTE MEANINGFUL NEGOTIATION, IT IS PROFOUNDLY MISTAKEN." (THIS IS SIMILAR TO PSOE SECGEN FELIPE GONZALEZ' WARNING REPORTED REFTEL.)

3. RUMORED GOVT-FAVORED LAW UNSATISFACTORY. AN ELECTORAL LAW BASED ON A SINGLE-MEMBER-DISTRICT, WINNER-TAKE-ALL SYSTEM (WHICH WAS THE TYPE REPORTEDLY PROPOSED BY SOME MEMBERS OF THE FORMER GOVT INCLUDING PARTICULARY OSORIO) AND RUMORED TO BE FAVORED BY THE SUAREZ GOVT NOT ONLY IS "UNJUST TO POLITICAL MINORITIES, BUT LEADS TO THE FORMATION OF MASSIVE COMPETING COALITIONS, WHICH TEND TO BE RULED BY THEIR PASSIONS, OF THE KIND WHICH LED SPAIN TO CIVIL WAR IN 1936." THE RUMORED INCLUSION IN SUCH A LAW OF SMALLER ELECTORAL DISTRICTS AND A FRENCH-STYLE RUN-OFF IN THE EVENT THAT NO CANDIDATE RECEIVES A MAJORITY ON THE FIRST BALLOT MAKES IT EVEN WORSE.

-- THE SMALLER THE DISTRICTS THE MORE EASY IT WOULD BE LIMITED OFFICIAL USE

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FOR THE GOVT TO MANIPULATE THE VOTE.

-- THE FRENCH RUN-OFF SYSTEM IMPOSES "ABSURD COALITIONS" AND, IN ANY CASE, DOES NOT PREVENT THE PROLIFERATION OF PARTIES.

4. THE SUPERIORITY OF A "PR" APPROACH. "GIVEN THE CHARACTERISTICS OF SPANISH SOCIETY, A PROPORTIONAL

REPRESENTATION SYSTEM IS THE MOST APPROPRIATE FOR A
NUMBER OF REASONS":

-- IT REFLECTS MORE ACCURATELY AND FAIRLY THE TENDENCIES
AND CURRENTS OF SPANISH POLITICAL OPINION.

-- IT HAS CONSIDERABLE PEDAGOGIC VALUE, BECAUSE IT
OBLIGES PEOPLE TO VOTE FOR THEIR IDEALS AND LEGITIMATE
INTERESTS AND MITIGATES RADICALIZATION.

-- IT FAVORS POST-ELECTORAL COALITIONS, "WHICH PROMOTE
POLITICAL EQUILIBRIUM", RATHER THAN PRE-ELECTION
COALITIONS, WHICH TEND TO FAVOR POLITICAL
PAROCHIALISM.

-- IT HELPS TH FIGHT "CACIQUISMO" (BOSSISM) AND GOVERN-
MENTAL MACHINATIONS, INCLUDING ATTEMPTS AT GERRYMANDERING.

-- A PROPORTIONAL REPRESENTATION SYSTEM WITH BUILT-IN
LIMITATIONS ON THE EXISTENCE OF NON-COMPETITIVE MINI-
PARTIES WILL MINIMIZE THE PROLIFERATION OF POLITICAL
PARTIES.

5. GIL ROBLES' PRESCRIPTION: "A MIXED SYSTEM, BASED
ON PROPORTIONAL REPRESENTATION, WITH A NATIONAL LIST OF
CANDIDATES WHICH WOULD PERMIT PARTIES TO AGGREGATE THEIR
DISTRICT-BY-DISTRICT RETURNS. ELECTORAL DISTRICTS
WOULD BE BASED ON EXISTING PROVINCES AND URBAN CONCEN-
TRATIONS. CANDIDATES (AND PARTIES?) WHICH DO NOT RECEIVE
AN ESTABLISHED MINIMUM OF THE VOTE WOULD BE ELIMINATED."

6. COMMENT: IN HIS EDITORIAL, GIL ROBLES APHES
ACCURATELY TO REFLECT THE POINT OF VIEW OF THE DEMOCRATIC LEFT
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OPPOSITION GENERALLY, AND THE STATE OF ITS THINKING ON
THE SUBJECT OF THE ELECTORAL LAW, I.E., THAT IT IS MUCH
CLEARER ON WHAT IT DOES NOT WANT THAN ON WHAT IT WANTS.
AS GENERAL AND INCOMPLETE AS GIL ROBLES' ELECTORAL PRE-
SCRIPTIONIS, IT IS THE MOST DETAILED RECOMMENDATION WE
HAVE SEEN EMATING FROM OPPOSITION QUARTERS. IN
THIS REGARD, PSOE EXECUTIVE COMMITTEE MEMBER LUIS YANEZ
HAS TOLD US THAT HIS PARTY HAS A GROUP OF EXPERTS AT
WORK ON THE SUBJECT, BUT HE DID NOT KNOW WHEN ITS
RECOMMENDATIONS WOULD BE FORTHCOMING. THE APPEARANCE
OF GIL ROBLES' EDITORIAL AT THIS JUNCTURE IN "YA", A
PAPER WITH WHICH A NUMBER OF GOVT MINISTERS--NOTABLY
LAVILLA (JUSTICE) AND CARRILES (FINANCE)--ARE LINKED,
MAY INDICATE THAT THE DEBATE ON THE ELECTORAL LAW
WITHIN THE GOVT ITSELF IS FAR FROM OVER. THE GOVT'S

OBJECTIVE OBVIOUSLY IS TO WRITE A LAW UNDER WHICH THE
DEMOCRATIC OPPOSITION WILL AGREE TO PARTICIPATE.
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